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Attorneys for Defendant and Counterclaimant
ROKID, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUN FU, an individual,

Plaintiff,

v.

ROKID, INC.; and DOES 1 through 25,
inclusive,

Defendants.

ROKID, INC.,

Counterclaimant,

v.

JUN FU; DOES 1-100, inclusive,

Counter-Defendants

Case No. 3:23-cv-04327-LB

**STIPULATION AND ~~[PROPOSED ORDER]~~ CONTINUING THE
MEDIATION COMPLETION DATE
AND NON-EXPERT DISCOVERY
DEADLINE**

*[Filed concurrently with Declaration of
Angel R. Sevilla and [Proposed] Order]*

State Complaint Filed: August 17, 2023
Removal Date: August 23, 2023
Trial Date: March 3, 2025

1 Pursuant to Civil Local Rules (“L.R.”) 6-1(b) and 6-2, Plaintiff JUN FU (“Plaintiff”) and
2 Defendant ROKID, INC. (“Defendant”), jointly request and stipulate to modify the Case
3 Management and Pre-Trial Order [ECF Nos. 19 and 26] to extend the deadline for completing
4 mediation and non-expert discovery by forty-three (43) days until **August 30, 2024**, to allow the
5 Parties additional time to conduct non-expert discovery in this case and in light of the unexpected
6 cancellation of the mediation set for May 30, 2024.

7 Pursuant to L.R. 6-2, this stipulation is supported by the Declaration of Angel Sevilla
8 (“Sevilla Decl.”) and the Proposed Order, filed contemporaneously herewith. The Parties stipulate
9 as follows:

10 WHEREAS, on November 30, 2023, this Court held the Initial Case Management
11 Conference and set the Case Management and Pre-Trial Order (ECF No. 19);

12 WHEREAS, the Case Management and Pre-Trial Order set the deadline to complete non-
13 expert discovery as July 18, 2024 (ECF No. 19);

14 WHEREAS, on April 12, 2024, this Court granted the Parties’ stipulation to continue the
15 mediation originally scheduled for April 25, 2024, until May 30, 2024. (Sevilla Decl. ¶ 3; ECF
16 No. 26);

17 WHEREAS, Dana Curtis, the mediator this Court selected to mediate this matter, informed
18 the Parties’ counsel on the morning of May 28, 2024, that she needs to cancel the mediation
19 scheduled for May 30, 2024, to tend to a personal emergency (Sevilla Decl. ¶ 4);

20 WHEREAS, the Parties and the mediator are conferring on selecting new mediation date
21 on which all parties are available, but have not determined a date that works for all Parties (Sevilla
22 Decl. ¶ 5);

23 WHEREAS, the current deadline for the Parties to complete non-expert discovery is July
24 18, 2024 (Sevilla Decl. ¶ 6; ECF No. 19);

25 WHEREAS, while the Parties have diligently engaged in written discovery and preparing
26 for mediation in this matter, the Parties anticipate that additional non-expert discovery, such as
27 depositions, will need to occur should this matter not resolve at mediation (Sevilla Decl. ¶ 7);

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WHEREAS, this pre-trial discovery deadline to complete non-expert discovery would make it difficult for the Parties to both (1) conserve resources for potential settlement and (2) adequately prepare for trial in the event that settlement is unsuccessful at the mediation (Sevilla Decl. ¶ 8);

WHEREAS, the requested time modification will not delay the progress of the litigation because extending the non-expert discovery completion date to August 30, 2024, will not modify any other deadlines established in the Case Management and Pre-Trial Order (Sevilla Decl. ¶ 7; ECF No. 19).

ACCORDINGLY, THE PARTIES AGREE AND JOINTLY STIPULATE THAT:

The deadline to complete mediation be extended to July 30, 2024. The deadline to complete non-expert discovery be extended by forty-three (43) days until **August 30, 2024**.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

Dated: May 29, 2024

JACKSON LEWIS P.C.

By: /s/ Angel R. Sevilla
 Angel R. Sevilla
 Spencer C. Ladd
 Attorneys for Defendant and
 Counter-Claimant
 ROKID, INC.

Dated: May 29, 2024

MCCORMACK LAW FIRM

By: /s/ Bryan J. McCormack
 Bryan J. McCormack
 Attorneys for Plaintiff and
 Counter-Defendant
 JUN FU

*Counsel for Plaintiff, Bryan J. McCormack, authorized submission of his e-signature on this document in writing, by e-mail dated May 28, 2024, at 8:39 p.m.

~~PROPOSED~~ ORDER

GOOD CAUSE APPEARING, and the Parties having stipulated thereto, IT IS HEREBY ORDERED THAT: The deadline for the Parties to complete mediation is set for August 30, 2024. The deadline for the parties to complete non-expert discovery shall be extended to August 30, 2024.

PURSUANT TO THE STIPULATION, IT IS SO ORDERED.

Dated: May 29, 2024



THE HON. LAUREL BEELER
UNITED STATES DISTRICT JUDGE

4883-0008-4930, v. 2

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ROKID, INC.,

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JUN FU; DOES 1-100, inclusive,

Counter-Defendants

Case No. 3:23-cv-04327-LB

**DECLARATION OF ANGEL R.
SEVILLA IN SUPPORT OF THE
STIPULATION AND [PROPOSED
ORDER] CONTINUING THE
MEDIATION DATE AND FACT
DISCOVERY DEADLINE**

*[File concurrently with Stipulation and
[Proposed] Order]*

State Complaint Filed: August 17, 2023

Removal Date: August 23, 2023

Trial Date: March 3, 2025

1 I, Angel R. Sevilla, declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and admitted to appear
3 before this Court. I am a Principal with the law firm of Jackson Lewis P.C., counsel of record in
4 this matter for Defendant ROKID, INC. ("Defendant"). I have personal knowledge of the matters
5 stated herein, and if called to testify as to these matters, I could and would do so competently.

6 2. I make this declaration in support of the concurrently filed Stipulation to Modify the
7 Case Management Order and Request a Case Management Conference the above-referenced
8 matter (the "Action") pursuant to Civil Local Rules ("L.R.") 6-1(b) and 6-2.

9 3. On April 12, 2024, this Court granted the Parties' stipulation to continue the mediation
10 originally scheduled for April 25, 2024, until May 30, 2024, given my unavailability for the
11 mediation and the Parties' need to resolve discovery disputes concerning information needed to
12 conduct a productive mediation.

13 4. The Parties were ready to proceed with mediation on May 30, 2024. However, Dana
14 Curtis, the mediator this Court selected to mediate the Action, informed the Parties on the
15 morning of May 28, 2024, that she needs to cancel the mediation scheduled for May 30, 2024, to
16 tend to a personal emergency.

17 5. The Parties and the mediator are conferring on selecting new mediation date on which
18 Plaintiff, Defendant, their respective counsel, and the mediator are available, but have not
19 determined a date that works for all Parties.

20 6. The current deadline for the Parties to complete non-expert discovery is July 18, 2024,
21 (ECF No. 19).

22 7. The Parties have diligently engaged in written discovery and preparing for mediation in
23 the Action, but anticipate that additional non-expert discovery, such as depositions, will need to
24 occur should this matter not resolve at mediation.

25 8. The Parties request additional time to complete non-expert discovery for the Parties to
26 conserve resources for potential settlement and adequately prepare for trial in the event that
27 settlement is unsuccessful at the mediation.

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1 I declare under penalty of perjury under the laws of the State of California that the foregoing
2 is true and correct.

3 Executed this 29th day of May 2024 at Alamo, California

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5 _____
6 Angel R. Sevilla

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